

REMARKS

Claims 1-9 and 11 are pending. Claims 1, 4, 6 and 7 are herein amended. No new matter has been entered.

Claim Rejections

Claims 1-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Endo et al.* (US Patent 6,493,100, “*Endo*”) in view of *Hasegawa* (JP 07-271538). Favorable reconsideration is requested.

In applicants’ previous arguments, (see page 10 of March 7, 2005 Amendment), it was stated that “*Endo et al.* fails to disclose or fairly suggest the feature of claim 1, as amended, concerning updating and storing client-associated last received time by client, the client-associated last receiving time being the last time when the printer receives the packet for using the printer from the client.”

In response, the Examiner asserts that *Endo et al.* does disclose such a feature. The Examiner states:

Endo discloses print start and print end sections, which store the time that the printing started and the time that the printing ended relating to a particular print job. These values are used to calculate when and for how long the printer should be in a sleep mode.

(Office Action, page 3).

Applicants respectfully submit that the features disclosed by *Endo et al.* do not address the features disclosed in the present claims. The present claims 1, 4 and 7 require updating and storing client-associated last received time by the client. *Endo et al.* does not disclose saving “client-associated” data. *Endo et al.* only discloses storing a standby time in a list based on print

start times and print end times. Standby time is not “client-associated” data. Standby time is only data of when printing starts and when printing stops. Print start and stop times are independent of the client requesting the print job.

The Examiner cites Table 1 in *Endo* for support of the rejection. However, as can be seen in Table 1, there is no heading for “client-associated” data such as IP addresses. Whereas Fig. 11 of the present invention shows a sample client list database having one heading that is the client IP address and the other heading that is the last received time. *Endo et al.* is silent about storing “client-associated” data based on particular clients sending packets for using the printer.

Furthermore, *Endo et al.* does not disclose storing the “last received time.” *Endo et al.* discloses storing a standby time based on a print start time and a print end time. Neither standby time, print start time, nor print end time is the same data as last received time. The last received time is the last time a packet of information is received from a particular client of the printer. The last received time is updated and stored when a packet of information is received. Every client of the printer has a last received time that is stored and updated. (*See, e.g.*, Fig. 11). On the other hand, print start time is the time at which the printer starts printing; print end time is the time when the printer finishes printing; and standby time is merely a function of the print start and end times.

Therefore, *Endo et al.* fails to disclose the features as recited in claim 1 concerning updating and storing client-associated last received time by client, the client-associated last receiving time being the last time when the printer receives the packet for using the printer from the client.

In another argument, (see page 10 of March 7, 2005 Amendment), applicants stated “*Endo et al.* is completely silent with regard to a printer usage rate computer that determines client condition based on the client-associated last received time, the client condition being idle condition when the packet is not received for a predetermined time, and computes a printer usage rate when the client condition is not the idle condition.”

In response, the Examiner asserts that *Endo et al.* does disclose such a feature. The Examiner states:

Endo discloses a system that uses calculations to control a printer to enter a sleep mode after a predetermined period without receiving print data from the system. This is analogous to the determining of a printer usage rate when the printer is in an idle condition.

(Office Action, page 3).

The Applicants respectfully submit that the calculation of sleep mode in *Endo et al.* is not the same thing as calculating printer usage rate. In present Claims 1, 4 and 7, a printer usage rate computer calculates whether the client condition is idle based on the client-associated last received time and a predetermined threshold time for a positive idle condition. If the last received time does not meet the predetermined threshold idle condition time, meaning the idle condition is negative, then a new printer usage rate corresponding to a particular client is computed which is expressed in pages/hour. (Specification, page 3 lines 5-24; and page 9, lines 3-31).

In *Endo et al.*, a sleep mode time is calculated based on standby time data. Standby time in *Endo et al.* is a time period when the printer is not in use by any client. (*Endo et al.*, col. 11, lines 49-67, and Fig. 11). *Endo et al.* says nothing about calculating whether a client is in an idle

condition based on a predetermined threshold idle condition value. Furthermore, *Endo et al.* does not calculate a printer usage rate expressed in pages/hour. *Endo et al.* only selects one of several predetermined sleep mode times based on data of time periods when the printer is not in use by any client. (*Endo*, col. 6, lines 3-18).

Therefore, *Endo* fails to disclose the features as recited in claim 1 concerning a printer usage rate computer that determines client condition based on the client-associated last received time, the client condition being idle condition when the packet is not received for a predetermined time, and computes a printer usage rate when the client condition is not the idle condition

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Endo et al.* and *Hasegawa* as applied to claim 1, and further in view of *Norris* (US Patent 5,557,748). Favorable reconsideration is requested.

Claim 11 depends from claim 1 and recites “a list generator that generates a list of the clients which is working on the network when the packet is received by the printer.”

The Examiner admits that neither *Endo et al.* nor *Hasegawa* disclose a list generator that generates a list of clients which is working on the network when the packet is received by the printer. The Examiner cites *Norris* for disclosing such a limitation.

Norris discloses a dynamic network configuration that gathers network traffic data using a snoop module. The network traffic data is indexed for analysis to determine the participants. Using the indexed traffic data, default nodes are determined for generating a current participants list. For example, a default printer is determined for a current participants list. Therefore, in

Norris, a printer is a node or participant in the network configuration determined by the snooper module.

Norris does not disclose a printer determining and generating a participants list when a packet is received by the printer as recited in claim 11. In *Norris*, a network configuration, by way of a snooper module, determines whether a printer is a participant. Whereas in the present claim 11, a printer determines network participants or clients and generates a list. Therefore, the combination of references fails to teach all of the limitations as recited in Claim 11.

Accordingly, withdrawal of the obviousness rejection of claims 1-9 and 11 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No. 09/866,658
Attorney Docket No. 010700

Amendment under 37 C.F.R. §1.116

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Andrew G. Melick
Agent for Applicants
Registration No. 56,868
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

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